

EXHIBIT 3

LULA WILLIAMS, ET AL. vs BIG PICTURE LOANS, LLC, ET AL.
Matthew Martorello on 02/25/2019

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF VIRGINIA
3 RICHMOND DIVISION
4
5 LULA WILLIAMS, et al., on *
behalf of themselves and all *
other similarly situated *
individuals, *
Plaintiff, *
*
6 VS. * Civil Action No.
* 3:17-cv-461 (REP)
7 BIG PICTURE LOANS, LLC,
et al., *
8 Defendants. *
9

10
11 ORAL AND VIDEOTAPED DEPOSITION OF
MATTHEW MARTORELLO
FEBRUARY 25, 2019
12

13
14 DEPOSITION of MATTHEW MARTORELLO,
15 produced as a witness at the instance of the
16 Plaintiffs, and duly sworn, was taken in the
17 above-styled and numbered cause on the 25th day of
18 February, 2019, from 10:33 a.m. to 5:56 p.m., before
19 Christy R. Sievert, CSR, RPR, in and for the State
20 of Texas, reported by machine shorthand, at the
21 offices of Regus Business Center, 100 Crescent
22 Court, 7th Floor, Dallas, Texas 75201, pursuant to
23 the Federal Rules of Civil Procedure and the
24 provisions stated on the record or attached hereto.
25

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1 products?

2 A. Never traded any consumer financial
3 products.

4 Q. And prior to leaving KPMG, had you ever --
5 yourself ever invested in -- in a business that
6 involved consumer products, consumer financial
7 products?

8 A. No. No, I haven't. I had not.

9 Q. All right. So after 2009, or after KPMG,
10 what was your next career move?

11 A. So let me think about when this was. It
12 must have been late 2008 or early 2009. I feel like
13 it was probably late 2008. That's when I tried to
14 raise money to start an online lending business.

15 Q. And can I ask why -- why you would -- I
16 mean, that's -- you had not dealt with online
17 lending in any of your other professional capacities
18 before, right?

19 A. Yeah, that's correct.

20 Q. So what -- what brought you into --

21 A. I'm sorry, that's not really correct. I'm
22 sorry.

23 More specific to the KPMG experience, my
24 job there was mainly in asset-based lending, and --
25 and, obviously, transactions, mergers and

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1 different business, right?

2 A. I left, because I could sort of see the
3 writing on the wall. And so I continued my efforts
4 to, you know, be an owner and not an employee in
5 that context. And so I was able to raise capital
6 for my own business.

7 Q. And did you just quit or did -- was there a
8 buy-sell agreement or something that. . .

9 A. I got bullied out by litigation,
10 effectively. And then I think I had signed
11 something, like, you know, releasing any rights to
12 claiming ownership or anything like that. And so it
13 was just kind of -- it was not consensual, I guess,
14 but it was what it was.

15 Q. And did you get any money out of the
16 company?

17 A. No.

18 Q. All right. And then you started a new
business, right?

19 A. Correct.

20 Q. Approximately when? What was the best
estimate of month and year?

21 A. I believe that was probably -- like, I
22 don't want to be off by a year here. It's too far
23 to be off. But I feel like -- I would say early

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1 2010, give or take, is my best guess. It could have
2 been earlier.

3 Q. And what was --

4 A. Could have been earlier.

5 O. And what was the name of the business that
6 you started then?

7 A. That was Collect 500.

8 O. And what was the corporate entity's name,
9 if you -- if it was different?

10 A. It was MMP Finance.

11 O. What does the P stand for?

12 A. Peter.

13 O. Who was Peter?

14 A. He was the -- one of the guys who backed me
15 on it.

16 O. What was Peter's last name?

17 A. Savarino. It's S-a-v-a-r-i-n-o.

18 O. And what -- what was the business in
19 which -- what was the business model for Collect
20 500?

21 A. Sorry, can you elaborate on "business
22 model"?

23 O. Right. So -- right.

24 Did it -- was it an online lender?

25 A. Yes.

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1 O. And was the loan product actually called
2 Collect 500?

3 A. That was the -- the domain name. That was,
4 like, the d/b/a.

5 O. And what type of loans did Collect 500
6 make?

7 A. Collect 500 made traditional payday loans.

8 O. And did it do it in all states?

9 A. That's a good question. I don't recall it
10 being in all states. I think it was something less
11 than all states, but I don't recall all of the
12 states.

13 O. And then whatever happened to Collect 500?

14 A. Collect 500 operated for less than two
15 years, and it was probably in operations for
16 about -- really -- I mean, really operating maybe 10
17 to 12 months, and then sort of liquidated. And I'm
18 trying -- that's why I'm trying to remember what the
19 time period was. So I'm trying to remember when it
20 liquidated.

21 Q. So as of that point, what e-mail address
22 were you using as your primary e-mail address?

23 A. That's a good question. It probably --
24 well, let's see. In that era, probably my Yahoo
25 e-mail address, personally, I mean. And for

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1 And so that was a proprietary trading firm
2 with really one trader who was trading some
3 proprietary strategies, trying to find relative
4 arbitrage plays in certain markets, and he -- he --
5 he blew me up a little bit, and that only lasted
6 maybe a year and a half or two.

7 So that -- it was a subsidiary venture of
8 Bellicose Capital that didn't go so well.

9 Q. What is PepperCash?

10 A. PepperCash was Peppercash.com, which was
11 the d/b/a of Duck Creek.

12 Q. What is Duck Creek?

13 A. Duck Creek Tribal Financial is the lending
14 entity. It's an LVD LLC owned by the tribe.

15 Q. Owned by LVD?

16 A. Correct.

17 Q. And when did it become owned by the tribe?

18 A. Since it purchased it in -- I don't
19 remember the date, but it was probably late -- I
20 don't know, it was probably early 2012.

21 MR. GRAY: This is Jonathan. Did you
22 ask -- did you ask him when the domain name became
23 owned by the tribe?

24 MR. BENNETT: I'm asking when the
25 company did.